

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAIL STOP PATENT APPLICATIONS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL FOR A NEW CONTINUATION-IN-PART  
PATENT APPLICATION UNDER 37 C.F.R. §1.53(b)(2)**

Dear Sir:

This is a request for filing a **Continuation-in-Part** patent application under 37 C.F.R. §1.53(b)(2) of:

Inventor: **Mark COOKE**

For: **CONFIGURABLE PRICING OPTIMIZATION SYSTEM**

1. ☒ This is a new **UTILITY** patent application, which is a **Continuation-in-Part (CIP)** of U.S. Patent Application Serial No. 09/987,706 , filed November 15, 2001 which claims priority from U.S. Provisional Patent Application Serial No. 60/249,057, filed November 15, 2000. The present application also claims priority under 35 U.S.C. § 119(e) from U.S. Provisional Patent Application Serial Number 60/428,912 filed November 26, 2003.

2. The papers enclosed to obtain a filing date are as follows:  
79 Pages of Application including:  
59 Pages of Disclosure  
2 Pages of Claims (14 total / 2 independent)  
1 Page of Abstract; and  
17 Sheets of drawings containing Figs. 1-14 (17) Figures

3. **Combined Declaration and Power of Attorney**

- ☐ Enclosed and is newly executed by all inventors.  
☐ Enclosed in this continuation/divisional application and is a copy from a prior application (37 CFR § 1.63(d).  
☒ **Not Enclosed.**  
This application is being filed under the provisions of 37 C.F.R. §1.53(f). Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the Declaration and paying the filing fees.

4. ☒ **An Assignment to Manugistics Atlanta, Inc. will be filed at a later date.**

5. **Language**

- ☒ **English**  
☐ Non-English

This application is being filed in accordance with 37 C.F.R. §1.52(d) and §608.01 of the MPEP. Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the verified English translation and the processing fee.

6. Priority - foreign applications under 35 U.S.C. §119(a)-(d) or §365(b) or PCT international applications under 35 U.S.C. §365(a) designating at least one country other than the U.S.

☐ Priority of the following foreign application(s) is claimed:

Country	Application No.	Filed

Certified copy: ☐ is attached. ☐ will follow.

7. Priority based on provisional application(s) - 35 U.S.C. §119(e)

☒ Benefit of the following U.S. provisional application(s) is claimed:

Provisional Application No.	Filed
60/428,912	November 26, 2002
60/249,057	November 15, 2000

8. Priority based on the provisions of 35 U.S.C. §120

☒ Benefit of the following U.S. application is claimed:

U.S. Nonprovisional Application No.	Filed
09/987,706	November 15, 2001

9. **Preliminary Amendment**

☐ Amend the specification by inserting before the first line the sentence:

"This application is a ☐ continuation, ☐ division of co-pending application number  
, filed , which is hereby incorporated by reference"

10. **Small entity status**

☐ Small entity status under 37 C.F.R. §1.27 is claimed for this application.

11. **Fee Calculation (37 C.F.R. § 1.16):**

CLAIMS FOR FEE CALCULATION				
	Number Filed	Number Extra	at Rate of	Basic Fee Utility \$770.00
Total Claims (37 C.F.R. §1.16(c))	14 - 20 =	0	\$ 18.00 each=	+ 0.00
Independent Claims (37 C.F.R. §1.16(b))	2 - 3 =	0	\$ 86.00 each=	+ 0.00
<b>TOTAL FILING FEE =</b>				<b>\$ 770.00</b>

12. **Fee Payment:**

☒ Not Enclosed. **NO FEE IS BEING PAID BY CHECK OR DEPOSIT ACCOUNT AT THIS TIME.**

This application is being filed under the provisions of 37 C.F.R. §1.53(f). Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the Declaration and paying the filing fees.

13. ☒ **Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-1349. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

14. Additional papers enclosed:

- ☐ Nonpublication Request pursuant to 37 CFR § 1.213
- ☐ Change of Correspondence Address
- ☐ Preliminary Amendment
- ☐ Information Disclosure Statement
- ☐ Form PTO- 1449, documents as listed
- ☐ Declaration of Biological Deposit
- ☐ Submission of "Sequence Listing," computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

**Please accord this application an application number and filing date.**

Respectfully submitted,

**HOGAN & HARTSON LLP**

Dated: November 26, 2003

**HOGAN & HARTSON LLP**

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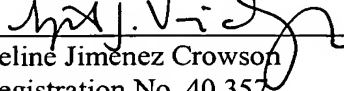
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